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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,686

04/24/2007

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EXAMINER

UNELUS, ERNEST

ART UNIT

PAPER NUMBER

2181

NOTIFICATION DATE

DELIVERY MODE

01/07/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tmunoz@hamiltontertile.com

Office Action Summary	Application No. 10/561,686	Applicant(s) EVANS, DAVID E.	
	Examiner ERNEST UNELUS	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/15/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION
RESPONSE TO AMENDMENT

Claim rejections based on prior art

Applicant's arguments filed 10/26/2009 with respect to claims 1-6 and 8-12 have been fully considered but they are not persuasive.

The applicant argued that Son, the cited reference, doesn't disclose "*predicting a next user input to the GUI*".

This argument is not persuasive. To predict a user to the GUI is being equated to typing in the expected user ID in the login window, as discloses in fig. 7 or Son, which is connected to a GUI; see paragraph 0051.

Also, the predicted user input corresponding to the actual user input is being equated to a match between the typed in user ID and the saved user ID; See paragraphs 0088 and 0116.

INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

1. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

INFORMATION CONCERNING DRAWINGS

Drawings

2. The applicant's drawings submitted are acceptable for examination purposes.

REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-6 and 8-12**, are rejected under 35 U.S.C. 102(e) as being anticipated by Son (US pub. 2003/0046281).

5. As per **claims 1, 6, and 8**, Son discloses a method of operating an application program having a graphical user interface (GUI), the method including the steps of:

predicting **(to enter the correct user ID in the login window, as discloses in fig. 7 and paragraph 0051)** a next user input **(a user ID)** to the GUI **(see paragraph 0051)**;

pending receipt of the next user input **(to wait for a user ID)**, executing a preparation portion of GUI code that provides the GUI function required by the predicted user input **(see**

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paragraphs 0059 and 0088, which discloses the user entering a user ID and executing a search based on the user ID); and

determining whether the predicted user input corresponds to the actual next user input and, on a positive determination, processing an activation portion of said GUI code to complete the required GUI function **(see paragraph 0116).**

6. As per **claims 2 and 9**, Son discloses “A method as claimed in claim 1,” [See rejection to claim 1 above], including the further step of: maintaining a history of user inputs to the GUI [see paragraph 0059, which discloses, “A search history record consists of entries such as, for example, those that are shown, in FIG. 2. In this example, the entries consist of a user ID (history record registrant name) which is used as the key of the record, contact to the user registrant”]; wherein the step of predicting the next user input at a particular GUI state is based on an analysis of the history of previous user inputs at the particular GUI state **(see paragraph 0116).**

7. As per **claims 3 and 10**, Son discloses including the further step of maintaining a history of user inputs to the GUI at each GUI state, the step of predicting the next user input at a particular GUI state comprising the step of determining whether to base the prediction on the maintained history or on a record of recent user inputs to the GUI **(see paragraph 0116).**

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8. As per **claims 4 and 11**, Son discloses wherein the prediction step comprises predicting a potential sequence of user inputs and the execution step comprises executing a preparation portion of GUI code for each of the user inputs of the predicted sequence (**see paragraph 0116**).

9. As per **claims 5 and 12**, Son discloses wherein the prediction step comprises predicting a plurality of alternative potential user inputs and the execution step comprises executing a preparation portion of GUI code for each of the alternative user inputs (**see paragraph 0116**).

RELEVANT ART CITED BY THE EXAMINER

10. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

11. The following reference teaches a method of operating an application program having a graphical user interface (GUI).

U.S. PATENT NUMBER

US 7,024,497

CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

12. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

a(1) CLAIMS REJECTED IN THE APPLICATION

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13. Per the instant office action, claims 1-6 and 8-12 have received a final action on the merits.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. DIRECTION OF FUTURE CORRESPONDENCES

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

IMPORTANT NOTE

15. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Alford Kindred, can be reached at the following telephone number: Area Code (571) 272-4037.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained

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from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Alford W. Kindred/
Supervisory Patent Examiner, Art Unit 2181
December 29, 2009

Ernest Unelus
Examiner
Art Unit 2181

/E. U./
Examiner, Art Unit 2181